

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

99 AUG 23 AM 8:25

U.S. DISTRICT COURT
N.D. OF ALABAMA

DIANE SMITH,

)

PLAINTIFF,

)

VS.

)

CV99-H-835-S

ARKADELPHIA SHELL,

)

DEFENDANT.

)

ENTERED

AUG 23 1999

MEMORANDUM OF DECISION

The May 11, 1999 order reminded plaintiff of her failure to comply with the April 6, 1999 order and further instructed her that if she did not file by April 25, 1999 the required amended complaint, complying with the Fed. R. Civ. P. and suitable for service on the defendant, the court would dismiss this action in accordance with the April 6, 1999 order. Moreover, the May 11, 1999 order also advised plaintiff that it was plaintiff's responsibility to serve a copy of a summons and the amended complaint on the defendant and that if the court file does not reflect such service by August 16, 1999, the court would dismiss this action without further notice to plaintiff.

Plaintiff did file a document entitled "Amended Complaint" on May 25, 1999 but that document did not comply with the April 6, 1999 order of Judge Edwin L. Nelson. More importantly, the court file does not reflect service of that document or any document upon defendant. Pursuant to the May 11, 1999 order, a separate order of dismissal will be entered.

DONE this 23rd day of August, 1999.


SENIOR UNITED STATES DISTRICT JUDGE

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